

2/07/11 9:11:05 556
DK W BK 651 PG 552
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

/ This instrument prepared by and return to:
Eric L. Sappenfield, PLLC, Attorney at Law
MS Bar #6468
6858 Swinnea Road
#5 Rutland Place
Southaven, MS 38671
662-349-3436
foreclosures/13189std

GRANTOR'S ADDRESS:

6858 Swinnea Road
5 Rutland Place
Southaven, MS 38671

wk: 662-349-3436
hm: n/a

GRANTEE'S ADDRESS

6363 Poplar Avenue
Suite 221
Memphis, TN 38119

wk: 901-762-7577
hm: n/a

INDEXING INSTRUCTIONS: Lot 159, Seventh Addition, Cherokee Ridge, Part of Cherokee Valley, P.U.D., located in Section 31, Township 1 South, Range 6 West, DeSoto County, Mississippi, as recorded in Plat Book 92, Page 42, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

STATE OF MISSISSIPPI

COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on September 27, 2007, JOHN DAVID WHEELER AND CARMEN WHEELER, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 2798, Page 591; and

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WHEREAS, BANCORPSOUTH BANK having substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated December 21, 2010, and recorded in the Chancery Clerk of DeSoto County, Mississippi, in Book 3258, Page 312; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, BANCORPSOUTH BANK, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in THE DESOTO TIMES, a newspaper published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared January 11, 2011 and subsequent notices appeared on January 18, 2011, January 25, 2011, and February 1, 2011. Proof of publication is attached hereto and incorporated herein by reference as Exhibit "A".

WHEREAS, on February 2, 2011, at the East Door of the County Courthouse of DeSoto County, Hernando, Mississippi, commencing at 11:00 A.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi, to wit:

Lot 159, Seventh Addition, Cherokee Ridge, Part of Cherokee Valley, P.U.D., located in Section 31, Township 1 South, Range 6 West, DeSoto County, Mississippi, as recorded in Plat Book 92, Page 42, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

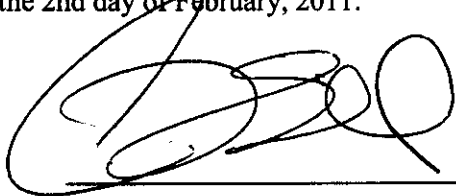
The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared BANCORPSOUTH BANK, who bid the amount of \$274,350.00, and this

being the highest and best bid, said BANCORPSOUTH BANK, was declared the successful bidder and the same was then and there struck off to said BANCORPSOUTH BANK.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$274,350.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto BANCORPSOUTH BANK, the land and property above described, together with all improvements thereon.

Title to this property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

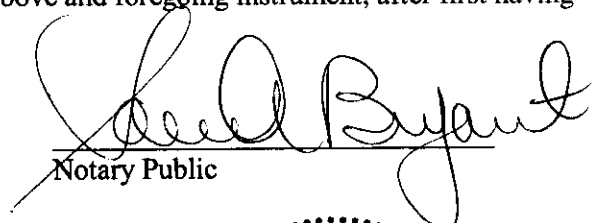
WITNESS MY SIGNATURE this the 2nd day of February, 2011.



Eric L. Sappenfield
Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF DESOTO

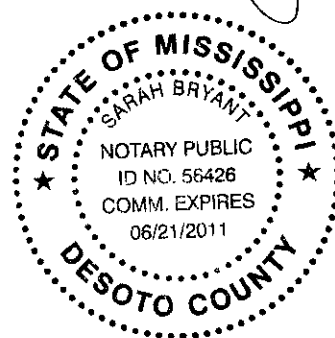
PERSONALLY appeared before me the undersigned authority in and for the said county, and state, on this 2nd day of February, 2011, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of BANCORPSOUTH BANK, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.



Notary Public

My Commission Expires:

06-21-2011



DESOTO TIMES-TRIBUNE

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 27, 2007, JOHN J. DAVID WHEELER AND CARMEN WHEELER, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 2798, Page 591.

WHEREAS, BANCORPSOUTH BANK has heretofore substituted ERIC L. SAPPENFIELD as Trustee in place of J. PATRICK CALDWELL by instrument dated December 21, 2010, and recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3258, Page 312; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, BANCORPSOUTH BANK, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale.

NOW, THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the same Deed of Trust, will on the 2nd day of February, 2011, sell during the legal hours between 11:00 A.M. and 4:00 P.M., at the East Door of the County Courthouse of DeSoto County in Hernando, Mississippi, offer for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi:

Lot 159, Seventh Addition, Cherokee Ridge, Part of Cherokee Valley, P.U.D., located in Section 31, Township 1 South, Range 6 West, DeSoto County, Mississippi, as recorded in Plat Book 82, Page 42, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Volume No. 116 on the 11 day of Jan., 2011

Volume No. 116 on the 18 day of Jan., 2011

Volume No. 116 on the 25 day of Jan., 2011

Volume No. 116 on the 1 day of Feb., 2011

Volume No. _____ on the _____ day of _____, 2011

Volume No. _____ on the _____ day of _____, 2011

Diane Smith

Sworn to and subscribed before me, this 1 day of Feb., 2011

BY *Judith Douglas*

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

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B. 3 subsequent insertions of 1170 words @ .10 \$ 117.00

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 166.80

5 Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229

The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust.

WITNESS MY SIGNATURE this 5th day of January, 2011.

/s/ Eric L. Sappenfield
Eric L. Sappenfield (MS Bar No. 6468)

Substituted Trustee
6858 Swinnea Road
5 Rutland Place
Southaven, MS 38671
662-349-3436

Publication Dates:
January 11, 2011
January 18, 2011
January 25, 2011
February 1, 2011